

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
S/S Willow Road, 240 ft. E of c/l Gum Road  
1323 Willow Road  
12th Election District  
7th Councilmanic District  
John W. Maatta  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 91-358-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 400.3 Baltimore County Zoning Regulations (B.C.Z.R.), to permit the height of an accessory building (1-1/2 story frame garage) to be 22 feet in height in lieu of the required 15 ft., more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for a Residential Variance, the subject property, known as 1323 Willow Road, improved with a single family detached home, zoned D.R. 5.5, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioner is requesting a variance to permit the height of an accessory building (1-1/2 story frame garage) to be 22 feet in height in lieu of the required 15 ft.

The Petitioner has filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and, therefore, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of May, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 400.3 Baltimore County Zoning Regulations (B.C.Z.R.), to permit the height of an accessory building (1-1/2 story frame garage) to be 22 feet in height in lieu of the required 15 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the garage or accessory storage structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. The subject garage and accessory storage structure shall not have any running water or public sewer connections and shall be strictly employed as a storage facility for personal property of the property owner of 1323 Willow Road.

3. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH/mmm

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

April 30, 1991

Mr. John W. Maatta  
1323 Willow Road  
Baltimore, Maryland 21222

RE: Petition for Residential Zoning Variance  
Case No. 91-358-A

Dear Mr. Maatta:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:mmm  
encl.  
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

400.3 to permit the height of an accessory building (1 1/2 story frame garage) to be 22 feet in lieu of the required 15 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason (Indicate hardship or practical difficulty)

1. The petitioner desires to erect a 1 1/2 story frame two car garage. The upper level would be used solely for storage purposes. This added storage space would contribute to the comfort and convenience of the owners of this property.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property, which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number:

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

John W. Maatta (wk) 388-7798

(hm) 284-3543

Name 1323 Willow Road, Dundalk, MD 21222

Address

ORDERED by the Zoning Commissioner of Baltimore County, this 22 day of MARCH, 1991, that the subject matter of this petition be posted on the property on or before the 3 day of APRIL, 1991.

J. Robert Haines  
ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this day of , 19 , that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the day of , 19 , at o'clock, .

ORDER RECEIVED FOR FILING

L.13

By

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-358-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at  
#1323 Willow Road Dundalk, MD 21222  
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

Storage is of major concern for the requestor. build space in the house hardship

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

John W. Maatta  
AFFIANT (Handwritten Signature)

AFFIANT (Handwritten Signature)

John W. Maatta  
AFFIANT (Printed Name)

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of May, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE

NOTARY PUBLIC

My Commission Expires: 7/1/92

ZONING DESCRIPTION

91-358-A

BEGINNING FOR THE SAME at a point on the southernmost side of Willow Road, as laid out 50 feet wide, said point being distant 808.62 feet more or less measured in a southwesterly direction along the abovementioned side of Willow Road from a point where the projection thereof would intersect the centerline of Old North Point Road, the paving of said Old North Point Road being 22 feet wide. Being Lot No. 45 as shown on the Plat of Northshire as recorded among the Land Records of Baltimore County in Plat Book Liber No. 14, folio 29, containing 0.244 acres of land more or less (10,628.64 square feet more or less). Said property being known and designated as No. 1323 Willow Road and located in The Twelfth Election District of Baltimore County, Maryland.

EDWIN J. KIRBY, JR.  
REGISTERED PROFESSIONAL LAND SURVEYOR,  
No. 5461

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 12th Date of Posting: 4/30/91

Posted for: Robert Haines

Petitioner: John W. Maatta

Location of property: S/S Willow Rd, 240' E of c/l Gum Rd

1323 Willow Rd

Location of Sign: County Willow Rd, 240' E of c/l Gum Rd

On property of Petitioner

Remarks:

Posted by: J. Robert Haines

Date of return: 4/30/91

Number of Signs: 1

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

Date: 3/22/91

Owner: Maatta, John W.  
7th Council District  
12th Election District  
S/S of Willow Rd, 240' E of c/l Gum Rd  
1323 Willow Rd

Fee - Admin Zoning Variance 60.00

\$160.00

Please Make Checks Payable To: Baltimore County

\$60.00

Cashier Validation

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

Date:

3/22/91

PUBLIC HEARING FEE

010 - ZONING VARIANCE FEE

050 - POSTING FEE

LAST NAME OF OWNER: MAATTA

CTY

PRICE

1 Y

\$35.00

\$25.00

TOTAL: \$60.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3354

March 28, 1991

John W. Maatta  
1323 Willow Road  
Dundalk, Maryland 21227

Re: CASE NUMBER: 91-358-A

LOCATION: S/S Willow Road, 240' E of c/l Gum Road  
1323 Willow Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a renumber regarding the administrative process.

1) Your property will be posted on or before April 3, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is April 18, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

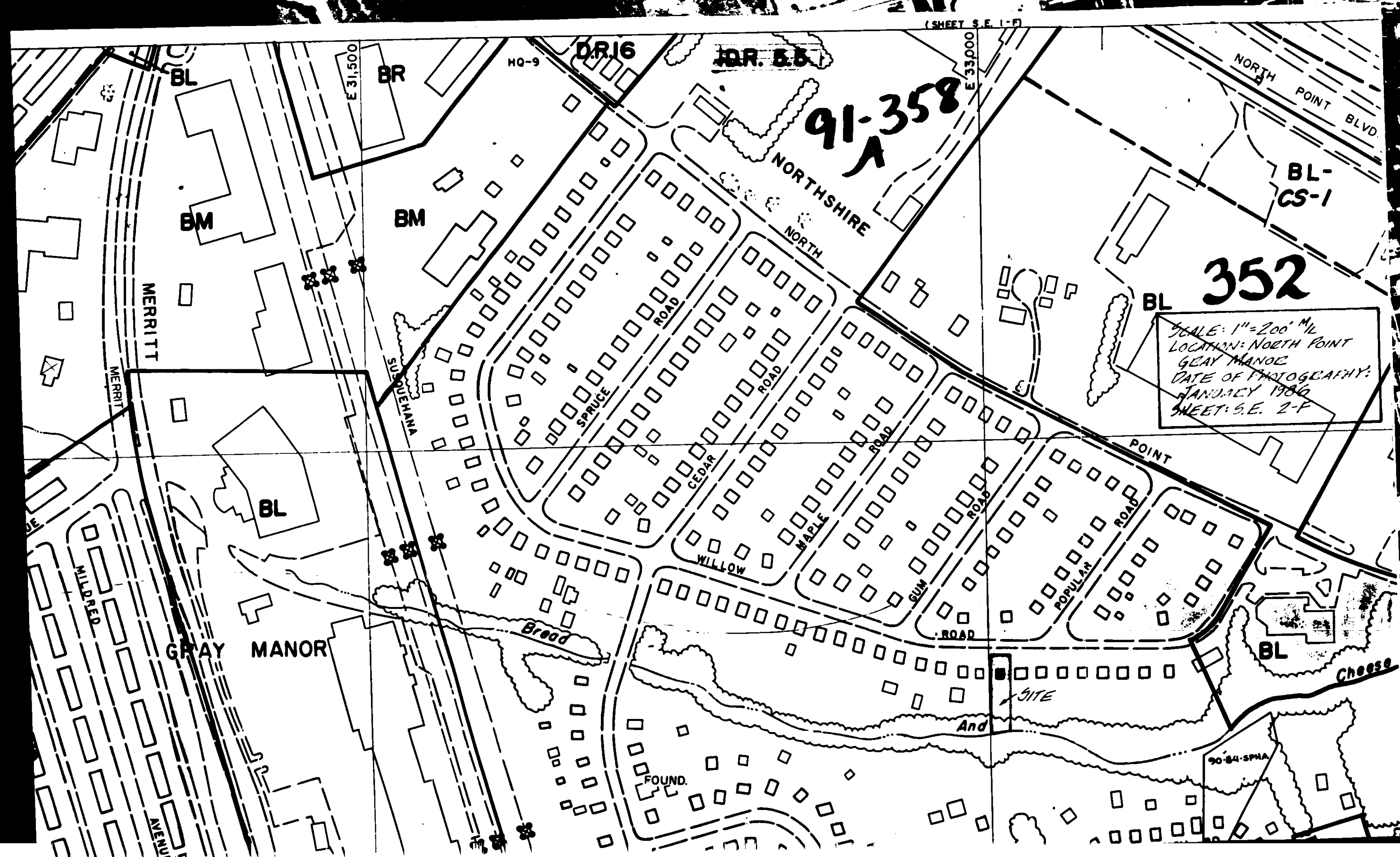
151

G. G. Stephens  
(301) 887-3391

File Copy

**PETITIONER'S EXHIBIT # 2**





# BALTIMORE COUNTY PLANNING AND ZONING AERIAL PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'±	NORTH POINT	S.E.
DATE OF PHOTOGRAPHY JANUARY 1986	GRAY MANOR	2-F
		#906